

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CSX CORPORATION,

Plaintiff,

-against-

THE CHILDREN'S INVESTMENT FUND  
MANAGEMENT (UK) LLP, et al.,

08 Civ. 2764 (LAK)

Defendants,

-against-

MICHAEL J. WARD,

Additional Counterclaim  
Defendant  
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**ORDER**

LEWIS A. KAPLAN, *District Judge.*

Plaintiff's application, pursuant to Fed. R. App. P. 8, for an injunction pending appeal was made and heard orally in a conference call with counsel for all parties and, for the reasons stated on the record, denied.

SO ORDERED.

Dated: June 12, 2008

  
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Lewis A. Kaplan  
United States District Judge